

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY BOARD  
MINUTES OF MAY 28, 2009  
OAKLAND, CALIFORNIA

**1. JOINT BOARD MEETING WITH ACTIA**

**1.1 Convene joint meeting with Alameda County Transportation Improvement Authority (ACTIA) Board**

Chair Green convened the joint CMA board meeting with ACTIA Board at 3:10 P.M.

**1.2 CMA Roll Call – Confirm Quorum of CMA Board**

Parmelee conducted the roll call to confirm quorum. The roll call roster is attached.

**1.3 Discussion of Management Partners' preliminary report regarding the ACTIA and CMA Service Sharing and Consolidation Project**

Andy Belknap of Management Partners presented the preliminary findings of the ACTIA and CMA Service Sharing and Consolidation Project. He stated that there are significant cost savings that can be achieved with a merger. However, a merger requires a long term commitment and requires some upfront investment and has employee relations implications and associated costs. Furthermore, the two agencies differ in their core functions and have different statutory responsibilities which must be preserved and protected. ACTIA focuses on delivery of capital projects and programs funded by taxpayers and the Measure B tax measure, para-transit services and bicycle/pedestrian advocacy, and community outreach and involvement. On the other hand, CMA is a state mandated agency that focuses on reducing congestion within the county, coordinating transportation planning, funding and other activities, and planning, funding and implementing projects and programs for local roads and highways, transit expansion and bicycle/pedestrian facilities. The organizational strengths of ACTIA are in capital project design, development and delivery, consensus building and community outreach and involvement especially to senior and disabled community. The CMA's organizational strengths are in congestion management and transportation planning, capital project development and delivery, programming in competitive environment, and entrepreneurial approach. Mr. Belknap stated that a business model of a merged agency could be developed and should build on the strengths of the two agencies. He also presented the following salient findings: (a) Significant service improvements and sharing opportunities can be achieved in the areas of expanded community outreach, integrated strategic planning and reduced administrative and consultant costs; (b) There will be employee relations considerations such as some staff transitions, increased workload for some existing positions, combining of some consulting contracts, and compensation levels and benefits need to be reconciled; (c) There will be cost efficiency opportunities on project delivery, administrative support, general overhead, lobbying and legal services and variety of consulting services; and (d) There will be some initial transition costs approximately \$680,000 to \$820,000 over a 2-3 year period. However, there will also be an estimated total annual savings of approximately \$651,000 to \$791,000. He presented three organizational concepts of integration. In conclusion, he stated that the 10-year return on investment is very good although there will be initial implementation costs. He added that the enabling legislation requires independent Board for now but there is an opportunity to possibly blend the Boards during the next sales tax authorization. In the meantime, a single Executive Director is possible. He also added that they propose a three phase approach to the possible implementation plan: (1) Integration of administrative services by the first quarter of 2010; (2) Integration of project and program delivery function by the first quarter of 2011; and (3) Space consolidation by 2013 when the leases of both agencies expire. He ended his presentation by

saying that Management Partners will prepare a final report in June for consideration by both agencies, and if directed, they would begin to work on an implementation plan beginning July to September.

Miley asked if ACTIA's Community Advisory Committee was taken into consideration since this is not a function of CMA. Belknap responded that this is one area of service improvement. Miley also asked if the Citizen's Watchdog Committee would take the role of looking at resources of the two agencies as a combined organization or would ACTIA remain as its main source. Belknap replied that this is a policy question and does not think that is statutorily required.

Johnson asked which of the three organizational concepts is recommended to help the Board arrive at a decision. She added that in terms of the process, the Board's decision should indicate whether it wanted minimum or maximum consolidation and afterwards the Executive Directors would formulate a plan to implement the Board's direction. Belknap replied that it would require further studies in order to provide the Board with the best possible concept.

Atkin commented that the advantages of integration were presented but the disadvantages should also be presented in order for the Board to weight the pros and cons of integration. Belknap stated that the disadvantages are resistance and objections to change and that there are some issues that would need further study.

Steele asked if other self help counties have only one Board or two. She also asked why did Management Partners not suggest having only one Board. Belknap replied that of the 19 self help counties in the state, 12 have one Board. One Board was not suggested by Management Partners because they cannot unilaterally change the legislation that created the two agencies. Green stated that if the Board can reach consensus, there should be a consolidated Board.

The following comments were also made by the Board members:

- Santos stated that he would like to see the full report so he can compare the duties and responsibilities of each agency and find out how the two Boards can combine when one is voter approved while the other is state mandated.
- Haggerty stated that as discussion begins on merging the Boards, there should also be discussions about the votes that exist within the CMA. He said that he would not support combining the Board as long as voter representation is an issue.
- Dowling agreed with Haggerty. He also stated that it is already confusing to the public which agency does what and with a combined agency and both Boards still there, this will further add to the confusion.
- Sbranti asked if any of the self help counties had a history of having two separate agencies and later merged because this will serve as an interesting model for the Board to look at. He added that he likes the CMA vote structure.

#### **1.4 Closed Session – Conference with ACTIA and CMA legal counsels regarding potential litigation and personnel matter, pursuant to Government Code Sections 54946.9 and 54957**

A closed session was held at 3:40 P.M..

#### **1.5 Report on closed session**

Wasserman, legal counsel for both ACTIA and CMA, reported that neither agency took any action in closed session.

#### **1.6 Action on Management Partners' preliminary report**

A motion to continue with Management Partners' study was made by Johnson; a second was made by Dowling. The motion passed unanimously.

Hosterman made another motion to instruct the chairs of each agency to appoint two members from each agency to the Ad Hoc Committee; a second was made by Haggerty.

Miley recommended that Fremont, Oakland, and at least one Board of Supervisor be included in the Ad Hoc Committee so they can participate in the discussion because the votes will be an issue. Johnson commented that the Board should focus on the consolidation of the agencies and hold off on consolidating the Boards right now. Finally, Starosciak commented that the Ad Hoc Committee should not only look at cost saving but also on determining whether one agency can truly complete the work that two agencies are doing.

#### **1.7 Recess joint meeting**

The joint meeting was recessed at 4:05 P.M.

#### **1.8 Reconvene CMA Board meeting**

The CMA Board meeting was reconvened at 4:10 P.M.

### **2.0 PLEDGE OF ALLEGIANCE**

### **3.0 PUBLIC COMMENT**

There was no public comment.

### **4.0 CHAIR'S/VICE-CHAIR'S REPORT**

Johnson reported that the highways in Marin County and other counties north of Alameda County seem to be in a better condition.

### **5.0 EXECUTIVE DIRECTOR'S REPORT**

Fay reviewed the MTC report of the most congested freeways. Five out of the ten most congested locations in the region are in Alameda County. Congestion overall in Alameda County declined by 17% from 2007 to 2008 but Alameda remains the most congested county in the region. He also discussed the graph that plots employment rate with congestion which showed that the recession has a significant effect on the decrease in congestion. He added that I-580 corridor is the second most congested corridor in the region and I-80 is the top most congested. He also discussed the other handout on the state budget's additional general fund reduction proposals for 2009-10 amounting to \$3.5 billion to get closer to a balanced budget. He stated that the State may take  $\frac{3}{4}$  of city/county gas tax to payoff the bonds that were issued in 2006. This is not good news for local governments. He stated that CMA will use its Sacramento representative to oppose this.

He stated that reports in the future from CMA's Sacramento Representative will have only one report addressed to him and Christine Monsen so that CMA and ACTIA will see exactly the same report and will help both agencies better coordinate their legislative positions.

He also reported that the House Transportation and Infrastructure Committee continues to work on moving the reauthorization of SAFETEA-LU forward. Chairman Oberstar would like to meet the September 30<sup>th</sup> expiration date. On climate change, there is no funding made available from the bills proposed to finance transportation investments to reduce emissions.

He reported that BART approved its remaining action to move the Oakland Airport Connector project forward.

Lastly, he reported that there is \$15 million that MTC original earmarked to a specific project in Marin from the stimulus package money and the state picked up this project for its ARRA money so MTC will instead use the \$15 million for transit operators to help them with transit rehabilitation projects.

## **6.0 CONSENT CALENDAR**

### **6.1 Meeting Minutes, April 23, 2009**

### **6.2 Financial Reports**

*Consent Items recommended by the following committees:*

#### **6.3 Plans & Programs Committee**

##### **6.3.1 State Transportation Improvement Program (STIP): 2010 STIP Development Process and Schedule**

##### **6.3.2 State Transportation Improvement Program (STIP): At Risk Report**

##### **6.3.3 Federal Surface Transportation Program/Congestion Mitigation Air Quality (STP/CMAQ) Program: At Risk Report**

##### **6.3.4 CMA Exchange Program: Status Report**

##### **6.3.5 Transportation for Clean Air (TFCA) Program: At Risk Report**

##### **6.3.6 State Transportation Improvement Program (STIP) Extension Request: BART - Alameda County Station Renovation**

#### **6.4 Administration & Legislation Committee**

##### **6.4.1 Draft FY 2009/2010 Budget**

##### **6.4.2 I-580 Tri-Valley Rapid Transit Corridor Improvements (RM 2 Project 32.1): Subproject 32.1f: EB I-580 HOT Lane: Request to Amend Project Agreements and Contracts**

##### **6.4.3 Route 84/Ardenwood Boulevard Park and Ride Lot Project (Regional Measure 2 Project 29.5) Authorization for Additional Construction Contingency Funds**

##### **6.4.4 Mandatory Race Conscious DBE Program**

##### **6.4.5 Transportation Programming**

##### **6.4.6 SB 406 (DeSaulnier): Climate Change Planning**

##### **6.4.7 AB 468 (Hayashi) Public Employees Medical and Hospital Care Act: Employer Contributions**

##### **6.4.8 AB 652 (Skinner) Vehicle Length Limitation**

A motion to approve the Consent Calendar was made by Atkin; a second was made by Miley. The motion passed unanimously.

\*\*\* END OF CONSENT ITEMS \*\*\*

## **7.0 PLANS & PROGRAMS COMMITTEE REPORTS**

### **7.1 Guaranteed Ride Home Program: Annual Evaluation**

Stark recommended that the Board accept the 2008 Annual Evaluation Report for the Guaranteed Ride Home (GRH) Program and approve the following recommendations for next year's program: 1) continue operations and marketing, including maintaining a website and conducting employee and employer surveys, 2) continue monitoring and marketing the 50+ mile rental car requirement, 3) focus on registering businesses in South and Central Alameda County, and 4) incorporate recommendations

from the GRH Program Evaluation, which was approved by the Board at their February meeting, into the Annual Evaluation Report. A motion to approve staff recommendation was made by Kamena; a second was made by Starosciak. The motion passed unanimously.

Green suggested taking up Items 7.3 and 7.4 while sufficient votes exist.

### **7.3 Federal Economic Stimulus Package: American Recovery and Reinvestment Act (ARRA) Additional LSR Funding\* (page 239)**

Todd recommended that the Board approve a program of projects for the additional ARRA funds distributed at the state level. These additional funds provide a second round of Local Streets and Roads (LSR) funding from the ARRA for Alameda County projects amounting to \$4.74 million. He also stated that the basis for the programming recommendation for the \$4.74 million were information submitted by project sponsors. The programming information, e.g. project descriptions, funding amounts, etc., was due to MTC by May 31st. A motion to approve staff recommendation was made by Freitas; a second was made by Johnson. The motion passed as follows: : (22 – aye, 0 – nay, 13 – absent, 0 – abstain) AC Transit (1) – aye; Alameda County (3) – aye; City of Alameda (2) – aye; City of Albany (1) – aye; BART (1) – aye; City of Berkeley (2) – aye; City of Dublin (1) – aye; City of Emeryville (1) – aye; City of Fremont (4) – absent; City of Hayward (3) – aye; City of Livermore (2) – aye; City of Newark (1) – aye; City of Oakland (8) – absent; City of Piedmont (1) – aye; City of Pleasanton (1) – absent; City of San Leandro (2) – aye; City of Union City (1) – aye

### **7.4 Transportation Fund for Clean Air (TFCA): FY 2009/10 Program\* (page 247)**

Taylor recommended that the Board approve the FY 2009/10 TFCA Program. The entire \$1,758,020 is proposed to be programmed in this cycle. Conditional approval is proposed for the \$100,000 of the program to allow for additional information to be gathered for the recommended Bike to Work Day project's cost-effectiveness evaluation. A motion to approve staff recommendation was made by Freitas; a second was made by Kamena. The motion passed as follows: : (22 – aye, 0 – nay, 13 – absent, 0 – abstain) AC Transit (1) – aye; Alameda County (3) – aye; City of Alameda (2) – aye; City of Albany (1) – aye; BART (1) – aye; City of Berkeley (2) – aye; City of Dublin (1) – aye; City of Emeryville (1) – aye; City of Fremont (4) – absent; City of Hayward (3) – aye; City of Livermore (2) – aye; City of Newark (1) – aye; City of Oakland (8) – absent; City of Piedmont (1) – aye; City of Pleasanton (1) – absent; City of San Leandro (2) – aye; City of Union City (1) – aye

### **7.2 2009 CMP Update: Climate Action**

Walukas recommended that the Board approve the revisions to the Travel Demand Management Element and Land Use Analysis Program (Chapters 5 and 6 of the CMP) showing where CMA Climate Action priorities can be incorporated into the CMP and to approve the draft CMA Priorities for Climate Action Measures. A motion to approve staff recommendation was made by Kamena; a second was made by Dowling. The motion passed unanimously.

## **8.0 ADMINISTRATION & LEGISLATION COMMITTEE REPORTS**

### **8.1 I-580 San Leandro Soundwall Project Authorization to Award Construction Contract**

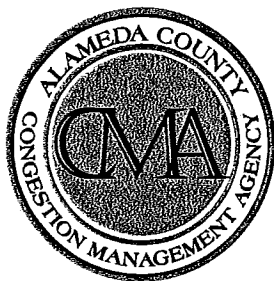
Todd recommended that the CMA Board award the I-580 San Leandro Soundwall Project construction contract to the lowest responsive and responsible bidder for the project, Gordon N. Ball, Inc., and to authorize the Executive Director, or his designee, to execute the contract, and authorize a contingency for this contract. He stated that all project costs will be reimbursed with currently authorized federal funds. A motion to approve staff recommendation was made by Starosciak; a second was made by Kamena. The motion passed unanimously.

**9.0 ADJOURNMENT/NEXT MEETING: JUNE 25, 2009**

Chair Green adjourned the meeting at 4:50 P.M.. The next CMA Board meeting is scheduled on June 25, 2009 at 3:30 P.M..

Attest By:

\_\_\_\_\_  
Gladys V. Parmelee  
Board Secretary



# ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185  
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

## CMA BOARD MEETING ROSTER OF MEETING ATTENDANCE

May 28, 2009

ACTIA Board Room

1333 Broadway, Suite 300, Oakland, CA 94612

BOARD MEMBERS	Initials	ALTERNATES	Initials
Mark Green, Chair – City of Union City		Manuel Fernandez – City of Union City	
Beverly Johnson, Vice Chair – City of Alameda		Frank Matarrese– City of Alameda	
Scott Haggerty – County of Alameda			
Nate Miley – County of Alameda			
Farid Javandel - City of Albany		Peggy Thomsen - City of Albany	
Kriss Worthington – City of Berkeley		Tom Bates – City of Berkeley	
Tim Sbranti- City of Dublin		Kasie Hildenbrand - City of Dublin	
Ruth Atkin – City of Emeryville		Ken Bukowski – City of Emeryville	
Robert Wieckowski– City of Fremont		Robert Wasserman – City of Fremont	
Olden Henson – City of Hayward		Kevin Dowling – City of Hayward	
Marshall Kamena – City of Livermore		Marjorie Leider – City of Livermore	
Luis Freitas – City of Newark		Alberto Huezo – City of Newark	
Larry Reid – City of Oakland		None	
John Chiang – City of Piedmont		Garrett Keating – City of Piedmont	
Jennifer Hosterman – City of Pleasanton		Cheryl Cook-Kallio – City of Pleasanton	
Joyce R. Starosciak – City of San Leandro		Bill Stephens – City of San Leandro	
Greg Harper – AC Transit <b>JEFF DAVIS</b>		Jeff Davis - AC Transit	
Thomas Blalock - BART		Robert Franklin - BART	

CMA STAFF	Initials	LEGAL COUNSEL	Initials
Dennis Fay - Executive Director		Zack Wasserman – WRBD	
Frank Furger - Chief Deputy Director		Neal Parish – WRBD	
Dick Swanson - Director of Finance & Admin.			
Gladys Parmelee – Executive Asst. & Board Secretary			

CMA STAFF	Initials	CMA Staff	Initials
Yvonne Chan – Accounting Manager		Vivek Bhat - Associate Transportation Engr.	
Christina Muller –Administrative Manager		Saravana Suthanthira, Senior Trans. Planner	
Cyrus Minoofar - Manager of ITS		Liz Brazil – Contracts Administrator	
Matt Todd - Manager of Programming	MT	Sammy Ng – Senior Accountant	
Ray Akkawi – Manager of Project Delivery		Patty Sue - Accountant	
Beth Walukas – Manager of Planning	CAN	Jacki Taylor – Engineering Assistant	
Bijan Yarjani – Senior Transportation Engineer		Laurel Poeten – Engineering Assistant	
Steve Haas – Senior Transportation Engineer	SH	Victoria Winn – Administrative Assistant III	
John Hemiup – Senior Transportation Engineer		Claudia Leyva – Administrative Assistant III	CDL
Diane Stark, Senior Transportation Planner	DS	Myrna Portillo - Administrative Assistant I	

NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1. CLARENCE HUNT	HR MANAGEMENT	510-267-0115	CHUNTJ2@SBCE9103AL.NET
2. PAUL MATSUOKA	LAVTA	925-455-7864	pmatsuoka@lavta.org
3. Alan Lee	BART	(510) 404-6121	ALEE1@bart.gov
4. TOM BATES	CMA - ALTERNATE	—	MAYOR@CITYOFBERKELEY.INFO
5. Chris Fong	CITY OF BERKELEY	510 981-7100	CFONG@CITYOFBERKELEY.INFO
6. Bob Vian	Livermore	925 960 4516	bgvian@ci.livermore.ca.us
7. Mike Tassano	Pleasanton	925 931-5690	MTASSANO@ci.pleasanton.ca.us
8. <del>ARTHUR</del> ARTHUR DAO	ACTA/ACTIA	(510) 893-3347	adao@acta2022.com
9. Michele Bellows	ACTA/ACTIA	510 267 6114	mbellows@envirotanssolutions.com
10. JEFF FLYNN	NELSON/NGYARD	415-284-1544	jflynn@nelsonnygaard.v
11. ANNEE AZOD	ACTA/ACTIA	510 893-3347	
12.			
13.			
14.			
15.			
16.			
17.			
18.			